

From: Sunil Kemppi <skemppi@actu.org.au>
Sent: Thursday, 19 August 2021 10:08 AM
To: AMOD <AMOD@fwc.gov.au>
Cc: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>
Subject: RE: AM2021/54 - Stage 2 Group 2

Dear Ms Bullus,

Thank-you for your email, and for clearing that up so quickly.

I've now viewed the amended statement and can confirm that the amendments resolve any potential opposition to the provisional views that the ACTU had, in relation to their subject matter.

For the avoidance of doubt, we may seek to support the positions of our affiliates to the extent that there is opposition to the provisional views on other matters.

Regards,

Sunil Kemppi

Sunil Kemppi

Legal and Industrial Officer

Australian Council of Trade Unions
Level 4/365 Queen Street, Melbourne, Victoria 3000
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We acknowledge the Traditional Owners of country throughout Australia and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders past, present and emerging.

From: AMOD <AMOD@fwc.gov.au>
Sent: Wednesday, 18 August 2021 10:09 PM
To: Sunil Kemppi <skemppi@actu.org.au>
Cc: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>
Subject: RE: AM2021/54 - Stage 2 Group 2

OFFICIAL

Dear Mr Kemppi,

Thank you for your submission received in relation to the **Casual terms award review 2021**.

It has come to our attention that the Statement issued 11 August 2021 [[2021] FWCFB 4928] contained a formatting error in the tables at Attachment A, which inadvertently inserted bullets into the tables and removed some text when converted to for publishing to the Commission website.

We have corrected this formatting error and the [statement](#) has been re-uploaded to the website.

In relation to the three awards mentioned in your email please find below information:

- 8.2 and 8.3 of the Cleaning Award – The Full Bench has indicated that no variation is necessary
- 15.2 in the Marine Tourism Award - The Full Bench has indicated that no variation is necessary
- 16.2 in the Medical Practitioners Awards - The Full Bench has indicated that no variation is necessary

I sincerely apologise for the confusion caused by this error.

If you could please review the above and the amended [statement](#) and confirm there are no outstanding objections to provisional views from the ACTU we would be most grateful.

Kind regards,

Erin

Erin Bulluss

Modern Awards, Economics and Research Section

Fair Work Commission

Tel: 03 8656 4665

erin.bulluss@fwc.gov.au

From: Sunil Kemppe <skemppi@actu.org.au>

Sent: Wednesday, 18 August 2021 3:58 PM

To: AMOD <AMOD@fwc.gov.au>

Cc: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>

Subject: re: AM2021/54 - Stage 2 Group 2

Dear AMOD team and Associate to Vice-President Hatcher,

In response to the FWC Full Bench's Statement ([2021] FWCFB 4928) and its provisional views in relation to Stage 2 Group 2 Awards in the Casual Award Terms Review (AM2021/54):

- We refer to our submission of Tuesday 8 August in relation to the Stage 2 Group 1 Awards. At paragraph 8 of that submission, we outlined a number of subjects and areas in respect of which we supported the provisional view. We likewise support the provisional views in relation to the Stage 2 Group 2 Awards which cover that same subject matter.
- However, we note that a number of provisional views in the statement appear to indicate that the term is not inconsistent and that it is not necessary to determine whether the term is a relevant term but that a variation *is* necessary. Examples include:
 - 8.2 and 8.3 of the Cleaning Award;
 - 15.2 in the Marine Tourism Award
 - 16.2 in the Medical Practitioners Awards

We seek further clarification as to whether the provisional view is that variation is necessary for these and similarly treated clauses. Subject to this clarification, we may seek to oppose the relevant provisional views.

Regards,

Sunil Kemppe

Sunil Kemppe

Legal and Industrial Officer

Australian Council of Trade Unions

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Instagram [@AusUnions](https://www.instagram.com/AusUnions)

We acknowledge the Traditional Owners of country throughout Australia and recognise their continuing connection to land, waters and culture. We pay our respects to their Elders past, present and emerging.

From: Erin Keogh <Erin.Keogh@unitedworkers.org.au>
Sent: Thursday, 19 August 2021 8:56 AM
To: AMOD <AMOD@fwc.gov.au>
Cc: Hannah Miflin <Hannah.Miflin@unitedworkers.org.au>
Subject: RE: AM2021/54 - Casual terms award review 2021

Dear Ms Bulluss,

Thank you for your correspondence.

The UWU can confirm that the amendments to the provisional views as outlined in your email below have resolved all objections identified by the UWU.

As a result, the UWU no longer opposes any provisional views for stage 2, group 2 awards where the Union had identified themselves as an interested party.

Regards

Erin Keogh

Coordinator National Industry Strategy and Bargaining

United Workers Union

M: 0425 755 940 **P:** 03 9235 7777

E: erin.keogh@unitedworkers.org.au

W: unitedworkers.org.au

From: AMOD <AMOD@fwc.gov.au>
Sent: Thursday, 19 August 2021 8:09 AM
To: Erin Keogh <Erin.Keogh@unitedworkers.org.au>
Subject: RE: AM2021/54 - Casual terms award review 2021

OFFICIAL

Dear Ms Keogh,

Thank you for your submission received in relation to the **Casual terms award review 2021**.

It has come to our attention that the Statement issued 11 August 2021 [[2021] FWCFB 4928] contained a formatting error in the tables at Attachment A, which inadvertently inserted bullets into the tables and removed some text when converted to HTML.

We have corrected this formatting error and the [statement](#) has been re-uploaded to the website.

I have reviewed your submission and believe the UWU concerns relate specifically to the confusion caused by this formatting error.

The FB's views are that no variation is necessary for the following award clauses:

- *Pharmacy Industry Award 2020* – 10.12, 19.5, 22.3, 24.3 and B.2.
- *Poultry Processing Award 2020* – 19.5, 19.7, 21.1 and B.3.
- *Road Transport and Distribution Award 2020* – 13.3, 19.2, 21.4, 22.4, 22.8, 23.2, 24.1, C.4 and C.5
- *Security Services Industry Award 2020* – 13.3, 13.6, 19.2, 20.2, 20.3, 21.1 and B.3.

In relation to the *Animal Care and Veterinary Services Award 2020* the FB indicated that no variation was necessary for clauses 11.2 and 11.3 (however your submission refers to clause 8.2 and 8.3).

In relation to the *Nurses Award 2010*, the Full Bench's provisional view in relation to clause 10.1 is that no variation is necessary.

I sincerely apologise for the confusion caused by this error.

If you could please review the above and the amended [statement](#) and confirm there are no outstanding objections to provisional views from the UWU we would be most grateful.

Kind regards,

Erin

Erin Bulluss

Modern Awards, Economics and Research Section

Fair Work Commission

Tel: 03 8656 4665

erin.bulluss@fwc.gov.au

From: Stephen Crawford <stephen.crawford@nat.awu.net.au>
Sent: Thursday, 19 August 2021 10:43 AM
To: AMOD <AMOD@fwc.gov.au>
Subject: Re: AM2021/54 - Casual award terms review - AWU submission Group 2 awards

Dear Award Modernisation Team,

Thanks for the email below.

I have reviewed the amended Statement and can confirm there are no additional provisional views opposed by the AWU.

Regards,

STEPHEN CRAWFORD
ACTING ASSISTANT NATIONAL SECRETARY
SENIOR NATIONAL LEGAL OFFICER
M +61 425 303 265 | stephen.crawford@nat.awu.net.au
P 02 8863 8900 LEVEL 1, 16-20 GOOD STREET
GRANVILLE NSW 2142 WWW.AWU.NET.AU



From: AMOD <AMOD@fwc.gov.au>
Date: Thursday, 19 August 2021 at 8:00 am
To: S Crawford <stephen.crawford@nat.awu.net.au>
Subject: RE: AM2021/54 - Casual award terms review - AWU submission Group 2 awards

OFFICIAL

Dear Mr Crawford,

Thank you for your submission received in relation to the **Casual terms award review 2021**.

It has come to our attention that the Statement issued 11 August 2021 [[2021] FWCFB 4928] contained a formatting error in the tables at Attachment A, which inadvertently inserted bullets into the tables and removed some text when converted to HTML.

We have corrected this formatting error and the [statement](#) has been re-uploaded to the website.

Your submission refers to the formatting issues in Attachment A and I wanted to alert you to the above change.

I sincerely apologise for the confusion caused by this error.

If you could please review Attachment A and advise the Commission of any further provisions opposed we would be most grateful.

Kind regards,

Erin

Erin Bulluss
Modern Awards, Economics and Research Section

Fair Work Commission
amod@fwc.gov.au

From: Angelo Pardo <angelo@sda.org.au>
Sent: Thursday, 19 August 2021 12:27 PM
To: AMOD <AMOD@fwc.gov.au>
Cc: Katie Biddlestone <katie@sda.org.au>
Subject: RE: AM2021/54 Casual Terms Award Review
Dear Ms Bullus,

Thank you for your email.

After having reviewed the revised statement it seems that the following provisions in the Pharmacy Industry Award which previously stated a variation was necessary now state no variation necessary:

- Part-time additional hours (10.12); and
- Clothing Allowance, Penalty Rates, Personal/Carers Leave and Compassionate Leave – Casual Employee and Summary of Hourly Rates (10.12, 19.5, 22.3, 24.3 and B.2).

To that extent it would appear that our submissions 9 to 15 have been ameliorated and there are no outstanding objections to the provisional views in relation to the *Pharmacy Industry Award 2020*.

Yours sincerely,

Angelo Pardo

National Industrial Officer



Shop, Distributive & Allied Employees' Association
Level 6, 53 Queen Street, Melbourne VIC 3000
M: 0447 037 295 **P:** 03 8611 7000 **E:** angelo@sda.org.au **W:** sda.org.au

From: AMOD <AMOD@fwc.gov.au>
Sent: Wednesday, August 18, 2021 10:09 PM
To: Angelo Pardo <angelo@sda.org.au>
Subject: RE: AM2021/54 Casual Terms Award Review

OFFICIAL

Dear Mr Pardo,

Thank you for your submission received in relation to the **Casual terms award review 2021**.

It has come to our attention that the Statement issued 11 August 2021 [[2021] FWCFB 4928] contained a formatting error in the tables at Attachment A, which inadvertently inserted bullets into the tables and removed some text when converted to HTML.

We have corrected this formatting error and the [statement](#) has been re-uploaded to the website.

I have reviewed your submission and believe that the following concerns raised by the SDA relate specifically to the confusion caused by this formatting error:

- *Pharmacy Industry Award 2020* – clauses 10.12, 19.5, 22.3, 24.3 and B.2

I sincerely apologise for the confusion caused by this error.

If you could please review the above and the amended [statement](#) and confirm there are no outstanding objections to provisional views from the SDA in relation to the *Pharmacy Industry Award 2020*, we would be most grateful.
Kind regards,

Erin
Erin Bulluss
Modern Awards, Economics and Research Section

From: Minna Davis <mdavis@rtbu.org.au>
Sent: Thursday, 19 August 2021 9:27 AM
To: AMOD <AMOD@fwc.gov.au>
Subject: Re: Casual Terms Award review 2021 Group 2 Awards - Rail Industry Award

Dear Erin,

Thank for your email.

I have reviewed the amended statement and can confirm that the RTBU have no outstanding objections to the provisional views.

Kind regards

Minna



Minna Davis Industrial Officer
Rail, Tram & Bus Union *The Power of Union*
Office Lvl 2, Trades Hall, 4-10 Goulburn Street, Sydney NSW 2000
Phone (02) 8203 6099
Email mdavis@rtbu.org.au Website www.rtbu.org.au

On 18 Aug 2021, at 10:09 pm, AMOD <AMOD@fwc.gov.au> wrote:

OFFICIAL

Dear Minna,

Thank you for your submission received in relation to the **Casual terms award review 2021**.

It has come to our attention that the Statement issued 11 August 2021 [[2021] FWCFB 4928] contained a formatting error in the tables at Attachment A, which inadvertently inserted bullets into the tables and removed some text when converted to HTML.

We have corrected this formatting error and the [statement](#) has been re-uploaded to the website.

I have reviewed your submission and believe the RTBU concern relating to clause 15.2 is specifically related to the confusion caused by this formatting error.

I confirm the Full Bench has indicated a *provisional view* that no variation is necessary to clause 15.2.

I sincerely apologise for the confusion caused by this error.

If you could please review the above and the amended [statement](#) and confirm there are no outstanding objections to provisional views from the RTBU we would be most grateful.

Kind regards,

Erin

Erin Bulluss
Modern Awards, Economics and Research Section

Fair Work Commission
Tel: 03 8656 4665
amod@fwc.gov.au

From: Daniel Crute <dcrute@anmf.org.au>
Sent: Thursday, 19 August 2021 9:19 AM
To: AMOD <AMOD@fwc.gov.au>
Subject: RE: Casual terms award review 2021 - AM2021/54

Good morning,

I have viewed the re-uploaded statement. It appears to have addressed our concerns.

I believe it is appropriate that a note is placed on the statement indicating that it is a newer version, because otherwise it appears our submission was addressing a concern which never existed.

Kind regards,

Daniel Crute | Federal Industrial Officer
Australian Nursing & Midwifery Federation
Level 1, 365 Queen Street Melbourne Victoria 3000
T: (03) 9602 8500 | F: (03) 9602 8567
E: dcrute@anmf.org.au | W: www.anmf.org.au



Follow the ANMF on Social Media: [Facebook](#) | [Twitter](#)

From: AMOD <AMOD@fwc.gov.au>
Sent: Wednesday, 18 August 2021 10:09 PM
To: Daniel Crute <dcrute@anmf.org.au>
Subject: RE: Casual terms award review 2021 - AM2021/54

OFFICIAL

Dear Mr Crute,

Thank you for your submission received in relation to the **Casual terms award review 2021**.

It has come to our attention that the Statement issued 11 August 2021 [[2021] FWCFB 4928] contained a formatting error in the tables at Attachment A, which inadvertently inserted bullets into the tables and removed some text when the document was processed to the website.

We have corrected this formatting error and the [statement](#) has been re-uploaded to the website.

I confirm that the Full Bench has indicated that no variation is necessary for clause 10.1 of the *Nurses Award 2010*.

I sincerely apologise for the confusion caused by this error.

If you could please review the above and the amended [statement](#) and confirm there are no outstanding objections to provisional views from the ANMF we would be most grateful.

Kind regards,
Erin

Erin Bulluss
Modern Awards, Economics and Research Section

Fair Work Commission
amod@fwc.gov.au

From: Vivienne Wiles <vwiles@cfmeumd.org>
Sent: Thursday, 19 August 2021 8:59 AM
To: AMOD <AMOD@fwc.gov.au>
Subject: RE: (AM2021/54) Casual Terms Award Review 2020 - Stage 2 - Group 2 Awards
Dear Erin,
Timber Industry Award 2020

I have now reviewed the corrected Statement uploaded to the amod website.

On the basis of that review, I can confirm the CFMMEU-MD has no outstanding objections to the provisional views in relation to the *Timber Industry Award 2020*.

Kind Regards
Vivienne Wiles
Senior National Industrial Officer and Co-ordinator

Manufacturing Division
Construction Forestry Maritime Mining & Energy Union
Manufacturing Division



Address: 165 Bouverie Street, Carlton, Victoria 3053 Australia

Mobile: 0419 334 102
Email: vwiles@cfmeumd.org

From: AMOD <AMOD@fwc.gov.au>
Sent: Wednesday, 18 August 2021 10:09 PM
To: Vivienne Wiles <vwiles@cfmeumd.org>
Subject: RE: (AM2021/54) Casual Terms Award Review 2020 - Stage 2 - Group 2 Awards
OFFICIAL

Dear Ms Wiles,

Thank you for your submission received in relation to the **Casual terms award review 2021**.

It has come to our attention that the Statement issued 11 August 2021 [[2021] FWCFB 4928] contained a formatting error in the tables at Attachment A, which inadvertently inserted bullets into the tables and removed some text when converted to HTML.

We have corrected this formatting error and the [statement](#) has been re-uploaded to the website.

I have reviewed your submission and believe the following CFMMEU (Manufacturing Div.) concern relates specifically to the confusion caused by this formatting error:

- *Timber Industry Award 2020* – clause 17.2(d) – the Full Bench has indicated that no variation is necessary to this clause.
- *Timber Industry Award 2020* – clauses .4(a)(iii) and 20.4(b)(iii) – the Full Bench has indicated that the action for this item is:

Delete the term 'regular and systematic casual employee' in both clauses and replace with 'regular casual employee'

Insert new definition in clause 2:

regular casual employee has the meaning given by section 12 of the Act.

I sincerely apologise for the confusion caused by this error.

If you could please review the above and the amended [statement](#) and confirm there are no outstanding objections to the provisional views in relation to the *Timber Industry Award 2020* I would be most grateful.

Kind regards,

Erin

Erin Bulluss

Modern Awards, Economics and Research Section

Fair Work Commission

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amod@fwc.gov.au